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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/185,878 11/03/98 LENT J NEXTP002

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EXAMINER

HAYES, J

ART UNIT

PAPER NUMBER

2761

DATE MAILED: 11/29/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No.

09/185,878

Applicant(s)

LENT ET AL.

Examiner

John W Hayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 November 1998.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 1998 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐-disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

### Attachment(s)

- 14) ☒ Notice of References Cited (PTO-892)
- 15) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 17) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Drawings*

1. The drawings filed on 3 November 1998 are subject to correction of the informalities indicated on the attached "Notice of Draftperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, correction is required.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Figure 4A does not indicate reference character "400" in accordance with the specification, page 15, second line from the bottom of the page. Correction is required.
3. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

### *Specification*

1. The disclosure is objected to because of the following informalities: Figure 10c is not included in the "Brief Description of the Drawings" section of the specification.  
Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Walker et al*, PCT Application WO 97/22073, published 19 June 1997 in view of *Norris*, U.S. Patent No. 5,940,811.

As per claim 1, *Walker et al* discloses a method of presenting a reason for the rejection of a credit application from an applicant comprising obtaining a scoring factor from a credit bureau for the application (Page 3, lines 4-10 and Page 9, lines 19-25), mapping the factor identified by the credit bureau information to an internal rejection code (Page 10 line 25 – Page 11 line 4; Page 12; and Page 13, lines 4-13), and providing a rejection reason corresponding to the internal rejection code to the user of the system (Page 13, lines 9-13; Page 20, lines 5-10 and Figures 9-10h). *Walker et al* further discloses that the rejection information is provided to the user of the system which in this case is a local branch representative, however, *Walker et al* does not specifically teach that the user is the actual applicant for credit. *Norris* discloses a method and apparatus for automatic processing of typical financial transactions including loan applications and credit card and debit card applications. *Norris* also teaches that when an applicant applies for credit, the applicant's credit report is obtained from a credit bureau, evaluated using an underwriter model and a decision is made based on the evaluation whether to grant or deny the loan or credit card application and the system then informs the borrower of the decision (Col. 6, lines 45-55 and Col. 7, lines 28-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of *Walker et al* and incorporate the capability to communicate the results of the credit application evaluation directly to the applicant rather than using a mediator such as a bank branch representative to relay the information. *Norris* provides motivation by indicating that communicating directly with the applicant provides more convenience to applicants since they could apply for credit using kiosks or other computer means placed in a convenient locations (Col. 1, lines 20-57; Col. 2, lines 27-34 and Col. 4, lines 15-20).

As per claims 2 and 3, *Walker et al* further discloses determining whether the internal rejection code corresponds to a specific code or a general code and performing various tests to determine whether the result corresponds to an appropriate rejection reason, and if so, assigning the appropriate internal

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rejection code for the specific rejection reason or assigning a general rejection code (Page 25 line 20 – Page 26 line 13; Page 12 and Figures 9-10h).

As per claims 4 and 5, *Walker et al* discloses that a local branch representative typically informs the applicant if the application for credit is rejected for any reason, however, does not specifically disclose that the system requests and receives an acknowledgment from the applicant that he/she actually received the rejection information. *Norris* discloses that the method of loan application processing includes execution, without human intervention, of regulatory requirements related to consumer financing and that regulatory approvals can be obtained by first displaying documents on the monitor screen, highlighting those requiring careful explanation and obtaining both the consumer's acknowledgement that they were explained and that he/she understood them (Col. 2, lines 48-53; Col. 5, lines 22-39; Col. 6, lines 57-64; and Col. 10, lines 28-34).

As per claim 9, *Walker et al* discloses a system for presenting a reason for the rejection of a credit application from an applicant comprising obtaining a scoring factor from a credit bureau for the application (Page 3, lines 4-10 and Page 9, lines 19-25), mapping the factor identified by the credit bureau information to an internal rejection code (Page 10 line 25 – Page 11 line 4; Page 12; and Page 13, lines 4-13), and providing a rejection reason corresponding to the internal rejection code to the user of the system (Page 13, lines 9-13; Page 20, lines 5-10 and Figures 9-10h). *Walker et al* further discloses that the rejection information is provided to the user of the system which in this case is a local branch representative, however, *Walker et al* does not specifically teach that the user is the actual applicant for credit. *Walker et al* also does not specifically disclose that the system further includes and Underwriter operative to perform these functions. *Norris* discloses a method and apparatus for automatic processing of typical financial transactions including loan applications and credit card and debit card applications. *Norris* also teaches that when an applicant applies for credit, an underwriter model is utilized to obtain the applicant's credit report from a credit bureau, evaluate the information and make a decision based on the evaluation whether to grant or deny the loan or credit card application and the system then inform the borrower of the decision (Col. 6, lines 45-55 and Col. 7, lines 28-37). It would have been obvious to one

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of ordinary skill in the art at the time the invention was made to modify the computer program of *Walker et al* and incorporate an underwriter capability to evaluate the application and communicate the results of the credit application evaluation directly to the applicant rather than using a mediator such as a bank branch representative to relay the information. *Norris* provides motivation by indicating that communicating directly with the applicant provides more convenience to applicants since they could apply for credit using kiosks or other computer means placed in a convenient locations (Col. 1, lines 20-57; Col. 2, lines 27-34 and Col. 4, lines 15-20).

As per claim 10, *Walker et al* discloses a computer program which is carried out and operates the system for presenting a reason for the rejection of a credit application from an applicant comprising program code operative to obtain a scoring factor from a credit bureau for the application (Page 3, lines 4-10 and Page 9, lines 19-25), program code operative to map the factor identified by the credit bureau information to an internal rejection code (Page 10 line 25 – Page 11 line 4; Page 12; and Page 13, lines 4-13), and program code operative to provide a rejection reason corresponding to the internal rejection code to the user of the system (Page 13, lines 9-13; Page 20, lines 5-10 and Figures 9-10h). *Walker et al* further discloses that the rejection information is provided to the user of the system which in this case is a local branch representative, however, *Walker et al* does not specifically teach that the user is the actual applicant for credit. *Walker et al* also does not specifically disclose that the system further includes and Underwriter operative to perform these functions. *Norris* discloses a computer program for automatic processing of typical financial transactions including loan applications and credit card and debit card applications. *Norris* also teaches that when an applicant applies for credit, an underwriter model is utilized to obtain the applicant's credit report from a credit bureau, evaluate the information and make a decision based on the evaluation whether to grant or deny the loan or credit card application and the system then inform the borrower of the decision (Col. 6, lines 45-55 and Col. 7, lines 28-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the computer program of *Walker et al* and incorporate an underwriter capability to evaluate the application and communicate the results of the credit application evaluation directly to the applicant rather than using

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a mediator such as a bank branch representative to relay the information. *Norris* provides motivation by indicating that communicating directly with the applicant provides more convenience to applicants since they could apply for credit using kiosks or other computer means placed in a convenient locations (Col. 1, lines 20-57; Col. 2, lines 27-34 and Col. 4, lines 15-20).

As per claim 11, *Walker et al* discloses a computer readable medium having program code embodied therein for presenting a reason for the rejection of a credit application from an applicant comprising program code operative to obtain a scoring factor from a credit bureau for the application (Page 3, lines 4-10 and Page 9, lines 19-25), program code operative to map the factor identified by the credit bureau information to an internal rejection code (Page 10 line 25 – Page 11 line 4; Page 12; and Page 13, lines 4-13), and program code operative to provide a rejection reason corresponding to the internal rejection code to the user of the system (Page 13, lines 9-13; Page 20, lines 5-10 and Figures 9-10h). *Walker et al* further discloses that the rejection information is provided to the user of the system which in this case is a local branch representative, however, *Walker et al* does not specifically teach that the user is the actual applicant for credit. *Walker et al* also does not specifically disclose that the system further includes an Underwriter operative to perform these functions. *Norris* discloses a computer readable medium having program code embodied therein for automatic processing of typical financial transactions including loan applications and credit card and debit card applications. *Norris* also teaches that when an applicant applies for credit, an underwriter model is utilized to obtain the applicant's credit report from a credit bureau, evaluate the information and make a decision based on the evaluation whether to grant or deny the loan or credit card application and the system then inform the borrower of the decision (Col. 6, lines 45-55 and Col. 7, lines 28-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the computer program of *Walker et al* and incorporate an underwriter capability to evaluate the application and communicate the results of the credit application evaluation directly to the applicant rather than using a mediator such as a bank branch representative to relay the information. *Norris* provides motivation by indicating that communicating directly with the applicant provides more convenience to applicants since they could apply for credit using

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kiosks or other computer means placed in a convenient locations (Col. 1, lines 20-57; Col. 2, lines 27-34 and Col. 4, lines 15-20).

4. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Walker et al*, PCT Application WO 97/22073, published 19 June 1997 and *Norris*, U.S. Patent No. 5,940,811 as applied to claim 1 above, and further in view of *Zandi*, U.S. Patent No. 5,966,699.

As per claim 6, *Walker et al* discloses an "on-line system" and method for providing a rejection reason to an applicant and *Norris* discloses a remote kiosk based system that communicates with a transaction processor via communication lines, however, neither *Walker et al* or *Norris* specifically disclose that the method is carried out by providing a web page to the applicant that includes the rejection reason. *Zandi* discloses a system and method for conducting a loan auction over a computer network and teaches a method of allowing a borrower to complete an application for a loan over the Internet via a web page (Col. 2, lines 15-40 and Figures 1-2) and notifying the applicant whether the loan is approved or denied including the reasons for denial (Col. 8, lines 17-28 and 45-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the methods of *Walker et al* and *Norris* and incorporate the capability to communicate with the applicant via web pages over the Internet taught by *Zandi* for the benefit of allowing applicants to apply for credit from any location that has access to the Internet. This would obviously provide more convenience to the applicant as well as increase the number of potential customers for the lending institution.

With respect to claims 7 and 8, as described above in accordance with claim 6, neither *Walker et al* nor *Norris* disclose providing a web page to the applicant that includes the rejection reason and further providing an acknowledgment button to the applicant as part of the web page or providing an applet that communicates that the web page has been downloaded. *Norris*, however, discloses that the method of loan application processing includes execution, without human intervention, of regulatory requirements related to consumer financing and that regulatory approvals can be obtained by first displaying documents on the monitor screen, highlighting those requiring careful explanation and obtaining both the



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consumer's acknowledgement that they were explained and that he/she understood them (Col. 2, lines 48-53; Col. 5, lines 22-39; Col. 6, lines 57-64; and Col. 10, lines 28-34). *Zandi* discloses a system and method for conducting a loan auction over a computer network and teaches a method of allowing a borrower to complete an application for a loan over the Internet via a web page (Col. 2, lines 15-40 and Figures 1-2) and notifying the applicant whether the loan is approved or denied including the reasons for denial (Col. 8, lines 17-28 and 45-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the methods of *Walker et al* and *Norris* and implement the Internet and web page features taught by *Zandi* and include an acknowledgement button on the web page so that the applicant can acknowledge that the rejection information was received or communicating to the lender that the web page with the rejection information was downloaded by the applicant in order to meet the regulatory requirements for lending practices in view of the teachings of *Norris*.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Dykstra et al [5,611,052] discloses an apparatus and method for automatic credit evaluation and loan processing and teaches accessing a credit bureau for credit information pertaining to the applicant and applies a credit scoring model to determine the approval/rejection of the application.
  - Jones et al discloses a method for the real-time automatic determination of the approval status of a potential borrower of a loan and teaches obtaining a credit worthiness score from a credit bureau and comparing this score to a table of score ranges obtained from the lender to determine the approval/rejection status of the applicant
  - Tengel et al discloses deriving a proprietary credit score, typically a "FICO score", from a credit bureau to determine the credit score of a borrower.
  - Canter, Ronal S. discloses that The Equal Credit Opportunity Act (ECOA) mandates that a prompt, meaningful disclosure of all reasons that a consumer credit application has been denied is provided to the consumer.

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- "Low Rent Loan Officer In a Kiosk" by Bank Technology News discloses an automated loan machine that uses a bank's underwriting criteria and credit bureau data to accept or reject a loan application, and if the loan is rejected the system provides an explanation of the reasons for rejection.
- Calvey, Mark, "Internet Gives Bankers a Snappy Comeback" discloses a system launched by NextCard that provides an immediate response service to applicants who apply for a credit card via its web page wherein applicants can customize the card's features and process balance transfers online.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be reached Monday through Friday from 7:30 to 4:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Todd Voeltz, can be reached on (703) 305-9714.

The Fax phone number for the **UNOFFICIAL FAX** for the organization where this application or proceeding is assigned is (703) 305-0040 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

The Fax phone number for the **OFFICIAL FAX** for the organization where this application or proceeding is assigned is (703) 308-9051 or 9052 (for formal communications intended for entry).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jwh

19 November 1999

  
EMANUEL TODD VOELTZ  
SUPERVISORY PATENT EXAMINER  
GROUP 2700